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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/752,666	12/28/2000	Frank Liebenow	257/020	4510

30408 7590 09/07/2005

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EXAMINER

STRANGE, AARON N

ART UNIT	PAPER NUMBER
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2153

DATE MAILED: 09/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/752,666

Applicant(s)

LIEBENOW, FRANK

Examiner

Aaron Strange

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 June 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,7-12,14,15,17,18 and 21-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,7-12,14,15,17,18 and 21-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1,2,7-12,14,15,17,18, and 21-28 have been considered but are moot in view of the new ground(s) of rejection.
2. With regard to claim 11, and Applicant's assertion that Pirolli "discusses the deletion of documents from the cache without regard for any minimum set period of time" (Page 16, Lines 7-21 of Remarks), it should be noted that the rejection of claim 11 was and remains based on a combination of references. The section cited by Applicant in alleged support of this assertion states that "documents in the needs list with a need probability below some threshold are identified to be deleted from local cache". Clearly, any documents that are assigned a minimum retention time by the system of Mantha and Yaker would be above any need probability threshold for deletion, and would not be deleted until their retention period had elapsed. Applicant is reminded that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).
3. With regard to claims 27 and 28, and Applicant's assertion that "the scenario referred to in the rejection of the Office Action, emptying the Recycle Bin, is distinguishable from the claimed invention" (Page 18, Lines 1-3 of Remarks), it is noted that the operation of emptying the Recycle Bin was cited merely as an example of

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requesting confirmation from a user prior to deleting an object. Such an operation is well-known in the art, both at the same time a user requests the deletion (Recycle Bin) and when the data is deleted at a later time. Kumangai has been provided as evidence of the latter case (See Col 19, Line 56 to Col 20, Line 28).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1,2,7-10,12,14,15,17,18,21-24,26, and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha et al. (US 6,163,779) in view of Yaker (US 6,137,864).

6. **With regard to independent claim 1**, Mantha discloses a method comprising the steps of:

receiving, by a client system, in response to a request by a user of the client system, data from a network in a distributed system (Web page is accessed) (Col 8, Lines 28-39);

storing temporarily on the client system at least a portion of the received data at the client system (Page is copied to local hard drive)(Col 9, Lines 15-18).

Mantha fails to disclose obtaining, by said client system from the user of the client system, an indication of a minimum length of time during which the received data is to be temporarily stored; and storing the data for a period of at least the minimum length of time indicated by the user at the client system.

Yaker discloses a similar system wherein the user receives voice messages and may specify a minimum length of time to retain a particular message. After receiving a message, the user may specify how long to retain that message, which is then stored until the time period has passed (Col 1, Line 66 to Col 2, Line 12; Col 3, Lines 38-42). This would have been an advantageous addition to the system disclosed by Mantha since it would have allowed old data to be removed from the storage medium when it are no longer needed, increasing the available space for new data and discarding data which is no longer desired (Yaker, Col 1, Lines 21-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to specify a minimum length of time to retain a particular data object since it would have allowed old data to be removed from the storage medium when it are no longer needed, increasing the available space for new data and discarding data which is no longer desired.

7. With regard to claim 2, Mantha further discloses that the received data is stored in a memory space accessible by the client system as cache (Subsequent requests for the saved page pull the page from the local hard drive) (Col 12, Lines 30-35).

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8. With regard to claim 7, Mantha further discloses the step of designating, on said client system, that the received data be temporarily stored, wherein the designating step includes a step of presenting a user with a window for user input (Window for page allows user to specify what action to take with the current page) (Col 8, Lines 22-26).

9. With regard to claim 8, Yaker further discloses that the specifying step is carried out by a user in real time (user specifies retention time at the same time as receiving the message) (Col 3, lines 38-42).

10. With regard to claim 9, Yaker further discloses reading an instruction provided with the received data, wherein the instruction indicates that the received data should be temporarily stored (sender may specify a retention time that may be overridden by the receiver)(Col 3, Lines 1-21).

11. With regard to claim 10, Yaker further discloses deleting the data immediately after the specified minimum length of time has passed (Col 2, Lines 10-12).

12. With regard to claim 21, Yaker further discloses inquiring of the user of the client system whether the received data should be temporarily saved (Col 3, Lines 38-42).

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13. With regard to claim 22, Yaker further discloses receiving an indication from the user that the at least a portion of the received data is to be temporarily stored (Col 3, Lines 38-42).

14. With regard to claim 23, Yaker further discloses prompting the user of the client system to enter the minimum length of time to temporarily store the received data (Col 3, Lines 38-42).

15. With regard to claim 24, Yaker further discloses accepting from the user of the client system the indication of the minimum length of time (Col 3, Lines 38-42).

16. With regard to claim 26, Mantha further discloses providing the user of the client system with an option to delete an earlier version of the received data being stored (any saved pages can be deleted) (Col 9, Lines 38-49).

17. With regard to claim 29, Yaker further discloses that obtaining the indication of the minimum length of time occurs after the step of receiving the requested data (Col 3, Lines 38-42).

18. With regard to claim 30, Yaker further discloses that the minimum length of time received from the user is applied only to the received data (Col 3, Lines 40-42). Mantha discloses that the received data is a Web page (Col 9, Lines 15-18).

19. With regard to claim 31, Yaker further discloses that the client system erases only the particular received data after the minimum length of time received from the user (Col 3, Lines 38-42). Mantha discloses that the received data is a Web page (Col 9, Lines 15-18).

20. **With regard to independent claim 12**, Mantha discloses a method comprising: browsing by a user at a client in order to locate Web page data (User accesses a Web page) (Col 8, Lines 28-29) associated with a specific Web page; and storing said Web page data for the specific Web page temporarily in a cache (page is copied to local hard drive via save operation)(Col 8, Line 40 to Col 9, Line 14). However, Mantha fails to disclose entering a time specified by the user for the Web page data associated with the specific Web page, and after said user specified time period, deleting said Web page data for the specific Web page from said cache.

Yaker discloses a similar system wherein the user receives voice messages and may specify a minimum length of time to retain a particular message. After receiving a message, the user may specify how long to retain that message, which is then stored until the time period has passed (Col 1, Line 66 to Col 2, Line 12; Col 3, Lines 38-42). This would have been an advantageous addition to the system disclosed by Mantha since it would have allowed old data to be removed from the storage medium when it are no longer needed, increasing the available space for new data and discarding data which is no longer desired (Yaker, Col 1, Lines 21-33).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to specify a minimum length of time to retain a particular Web page since it would have allowed old data to be removed from the storage medium when it are no longer needed, increasing the available space for new data and discarding data which is no longer desired.

21. **With regard to independent claim 14**, Mantha discloses a client comprising: a central processing unit (Col 6, Lines 42-45), an input device coupled to said central processing unit (keyboard. and/or remote) (Col 6, Lines 30-39); an output device coupled to said central processing unit (monitor/television) (Col 6, Lines 52-55)', and a memory space operatively coupled to said central processing unit for storing data (hard drive) (Col 7, Lines 13-15), the client being configured to temporarily store data downloaded from a network (Col 1 , Lines 62-65), wherein the stored data represents a particular Web site image downloaded from the network (Col 9, 15-18). Mantha fails to disclose that the particular data is stored for a user specified minimum period of time, after which period of time the stored data is subject to automatic deletion, said user specified minimum period of time specified by entry made at said input device.

Yaker discloses a similar system wherein the user receives voice messages and may specify a minimum length of time to retain a particular message. After receiving a message, the user may specify how long to retain that message, which is then stored until the time period has passed (Col 1, Line 66 to Col 2, Line 12; Col 3, Lines 38-42).

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This would have been an advantageous addition to the system disclosed by Mantha since it would have allowed old data to be removed from the storage medium when it are no longer needed, increasing the available space for new data and discarding data which is no longer desired (Yaker, Col 1, Lines 21-33).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to specify a minimum length of time to retain a particular Web page since it would have allowed old data to be removed from the storage medium when it are no longer needed, increasing the available space for new data and discarding data which is no longer desired.

22. With regard to claim 15, Mantha further discloses that the memory space is a cache memory space (Subsequent requests for the saved page pull the page from the local hard drive)(Col 12, Lines 30-35).

23. With regard to claim 17, Yaker further discloses that the client is configured to respond to a user request to display information about the stored data (category of the message) (Col 3, Lines 48-58).

24. With regard to claim 18, Yaker further discloses that the client is further configured to respond to a user request to modify a property of the stored data(extend the retention time) (Col 2, Lines 10-12).

25. **With regard to independent claim 32**, Mantha discloses a method comprising the steps of:

receiving, by a client system, in response to a request by a user of the client system, data for an individual Web page, from a network in a distributed system (Web page is accessed) (Col 8, Lines 28-39);

storing temporarily on the client system at least a portion of the received data for the individual Web page on the client system (Page is copied to local hard drive)(Col 9, Lines 15-18).

Mantha fails to disclose obtaining, by said client system from the user of the client system and after receiving the data of the individual Web page, an indication of a minimum length of time during which the received data is to be temporarily stored; storing the data for a period of at least the minimum length of time indicated by the user at the client system; and deleting the received data for the individual Web page from the client system after at least the minimum length of time.

Yaker discloses a similar system wherein the user receives voice messages and may specify a minimum length of time to retain a particular message. After receiving a message, the user may specify how long to retain that message, which is then stored (Col 1, Line 66 to Col 2, Line 12; Col 3, Lines 38-42) and deleted after the time period has elapsed. This would have been an advantageous addition to the system disclosed by Mantha since it would have allowed old data to be removed from the storage medium when it are no longer needed, increasing the available space for new data and discarding data which is no longer desired (Yaker, Col 1, Lines 21-33).

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to allow the user to specify a minimum length of time to retain a particular data object since it would have allowed old data to be removed from the storage medium when it are no longer needed, increasing the available space for new data and discarding data which is no longer desired.

26. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha et al. (US 6,163,779) in view of Yaker (US 6,137,864) in further view of Pirolli et al. (US 6,098,064).

27. With regard to claim 11, while the invention disclosed by Mantha in view of Yaker shows substantial features of the claimed invention (discussed above), it fails to disclose that the data is a first Web page containing a hyperlink to a second Web page and the storing step includes storing data of the second Web page.

Pirolli et al. disclose that pre-fetching of web ages is known in the art as a means for caching a Web before it is requested by the client, in anticipation that it will likely be requested in the future. Pages that are hyperlinked to other pages are often related. The user will often follow the hyperlink to see the related information. In the case of a cached page containing hyperlinks, it would be advantageous to further cache the pages linked to by the main page to be cached. This would allow the user to access the hyperlinks without requiring them to go online and access information that has potentially changed or may no longer be available.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to have the client also store data of Web pages which are listed as hyperlinks in the main Web page to be cached. Since the hyperlinks likely point to relevant information, this will ensure that the user will have access to the pages as they were at the time the main page was cached. This eliminates any problems which may result from the hyperlinked pages going offline or being modified.

28. Claim 25 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha et al. (US 6,163,779) in view of Yaker (US 6,137,864) in further view of Ferguson (US 6,769,019).

29. With regard to claim 25, while the invention disclosed by Mantha in view of Yaker shows substantial features of the claimed invention (discussed above), including the entries may be selected for processing based on a heuristic process. Once an entry is selected, it is determined whether or not the expiration time has passed and the entry is to be deleted (Motoyama, Col 6, Lines 19-32). However, it fails to disclose selecting the data for processing on first in/first out basis.

Ferguson teaches selecting entries to delete from a cache on a first in/first out (FIFO) basis when the cache is determined to be full. This allows the oldest cached items to be deleted first, and while saving the newest entries (Col 7, Lines 22-25 and Col 27, Lines 45-52). This would have been an advantageous addition to the system disclosed by Mantha in view of Motoyama and Netscape since it would have selected

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the oldest entries for processing first, and deleted the oldest entries whose expiration time has passed prior to deleting the more recent entries.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to select and delete the stored data on a first in/first out basis once the expiration period for the data has passed. This would have maintained more recent versions of cached content since the oldest entries are deleted first.

30. Claims 27 and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Mantha et al. (US 6,163,779) in view of Yaker (US 6,137,864) in further view of Official Notice.

31. With regard to claims 27 and 28, while the system disclosed by Mantha in view of Yaker shows substantial features of the claimed invention (discussed above), it fails to disclose notifying the user of the client system prior to deleting the received data or deleting the data after being authorized by the user.

The Examiner takes Official Notice that it is old and well known in the art to notify a user and obtain permission from them prior to deleting files. This allows the user to monitor which files are being deleted and gives them a chance to stop deletion if they prefer to keep the data. This has been performed in many well-known instances, such as requiring a user to confirm whether or not to empty the Recycle Bin in Microsoft Windows.

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Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to notify the user that the expiration period has expired and obtain permission to delete the expired files prior to deleting them. This would allow the user to stop deletion of any file that they still want to keep.

Conclusion

32. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

33. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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34. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aaron Strange whose telephone number is 571-272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Glen Burgess can be reached on 571-272-3949. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AS
9/2/05



KRISNA LIM
PRIMARY EXAMINER